

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
FREEDOM MORTGAGE CORPORATION,

Plaintiff,

-against-

JAMES M BULLOCK, JR., DEBORAH  
DURUSSEL, and CLERK OF THE SUFFOLK  
COUNTY TRAFFIC & PARKING VIOLATIONS  
AGENCY,

Defendants.

**ORDER**  
**19-CV-664 (NGG) (SJB)**

NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff Freedom Mortgage Corporation brought an action to foreclose on a mortgage encumbering a property in Suffolk County. (Compl. (Dkt. 1).) After Defendants failed to answer or otherwise appear despite service, Plaintiff moved for a default judgment pursuant to Fed. R. Civ. P. § 55(b)(2) and a judgment of foreclosure and sale pursuant to New York Real Property Actions and Proceedings Law Article 13. (Mot. for Def. J. (Dkt. 21).) On February 10, 2020, the court referred the motion to Magistrate Judge Sanket J. Bulsara for a Report and Recommendation (R&R). (Feb. 10, 2020 Order Referring Mot.) Judge Bulsara issued the annexed R&R on July 31, 2020, recommending that the court deny the default judgment motion without prejudice to renew, and stay the filing of any new dispositive motions in the matter, pending the resolution of *CIT Bank N.A. v. Schiffman*, 948 F.3d 529 (2d Cir. 2020), *certified question accepted*, 34 N.Y.3d 1137 (2020), which is currently before the New York Court of Appeals.

No party has objected to Judge Bulsara's R&R, and the time to do so has passed. *See* Fed. R. of Civ. P. 72(b)(2). Therefore, the court reviews the R&R for clear error. *See Gesualdi v. Mack Excavation & Trailer Serv., Inc.*, No. 09 CV 2502 (KAM) (JO), 2010 WL 985294, at \*1 (E.D.N.Y. Mar. 15, 2010); *La Torres v. Walker*, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000). Having found none, the court ADOPTS the R&R in full.

SO ORDERED.

Dated: Brooklyn, New York  
October 13, 2020

/s/ Nicholas G. Garaufis  
NICHOLAS G. GARAUFIS  
United States District Judge